REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed November 13, 2003. Reconsideration and allowance of the application and pending claims are respectfully requested.

I.   Claim Rejections - 35 U.S.C. § 102(b)

A.   Statement of the Rejection

Claims 1-17 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Cloutier, et al. ("Cloutier," U.S. Pat. No. 6,018,397). Applicant respectfully traverses this rejection.

B.   The Cloutier Reference

Cloutier discloses a digital image processor that provides an indication to the user of hardcopy output image quality. Specifically, Cloutier discloses a digital image processing apparatus 10 that includes a device which generates or receives digital image data (e.g., a scanner 12 or a digital file reader 14) and an image processing computer 20, such as a personal computer. Cloutier, column 2, line 50 to column 3, line 12.

The processing computer includes a "magnification dependent image quality determination module 40" that assesses the level of image quality that would result if a given image file where printed as a hardcopy. Id. at column 3, lines 25-65. The module makes that determination in view of the size of the image and the designated magnification criteria that has been selected by a user. Id. As described by Cloutier, "if the input print size and aspect ratio for a given magnification selection will result in an unsatisfactory print quality, an indication is given to the user in the display to indicate

that this combination will result in an unsatisfactory level of hardcopy output image quality. Id. at column 3, lines 42-50.

Cloutier's Figure 3 provides a graph that illustrates the relationship between normal print viewing distance and the maximum printing magnification that will produce acceptable print quality. Id. at column 4, lines 1-5. The plots of that graph provide the data through which the satisfactory or unsatisfactory print quality determination can be made. Id. at column 3, line 66 to column 4, line 1.

C. Discussion of the Rejection

It is axiomatic that "[a]nticipation requires the disclosure in a single prior art reference of *each element* of the claim under consideration." W. L. Gore & Associates, Inc. v. Garlock, Inc., 721 F.2d 1540, 1554, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983)(emphasis added). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(b). In the present case, not every feature of the claimed inventions is represented in the Cloutier reference. Applicant discusses the claims in the following.

1. Claims 1-8

Claims 1-8 are drawn to a method for providing print outcome notification. Independent claim 1 provides (emphasis added):

> 1.   A method for providing print outcome notification,
> comprising the steps of:
>   determining which *print settings* are selected;
>   determining whether one or more of the *print settings* is
> likely to adversely affect a printing result; and

providing notification to a user that a selected print setting may result in an adverse printing result.

Accordingly, claim 1 requires a determination as to the print settings that are active for a given print job and a determination as to whether one or more of those print settings is likely to adversely affect a printing result. Cloutier's apparatus, in contrast, is configured to determine whether the magnification of an image file is so large, relative to the image size, as to result in a poor quality hardcopy. Given that "magnification" is not a print setting, the Cloutier reference fails to literally anticipate Applicant's claim 1.

That "magnification" is not a print setting can be readily appreciated when one considers the various settings that are available when one initiates a print process. As described in Applicant's specification, such initiation may comprise selecting "file" then "print" from a given user application. Once that sequence is followed, a print driver generates a dialogue box that provides the user with various options for the printing that is to be performed. Applicant is not aware of any print drivers that provide the user with a "magnification" setting that the user can modify. The reason for this is that "magnification" is not a print setting.

That "magnification" is not a print setting is also clear from Cloutier's own disclosure. As is described by Cloutier:

> Existing photo manipulation software, exemplified by the Adobe Photoshop program allows users to alter characteristics of an image and display it in modified form on a computer monitor/video display.
> Cloutier, column 1, lines 33-36.

From that excerpt, it is clear that "magnification" is something that the user may be able to adjust using a photo manipulation program, such Adobe Photoshop, and not a print setting that can be selected once the print process has been initiated. Because Cloutier does not anticipate "determining which *print settings* are selected" or "determining whether one or more of the *print settings* is likely to adversely affect a printing result", Cloutier cannot anticipate Applicant's claim 1.

With particular regard to claim 6, which depends from claim 1, Applicant notes that Cloutier does not anticipate "providing an indication of the degree of severity of the adverse result" as is required by claim 6. Instead, Cloutier only describes providing an indication that a result is "likely to be unsatisfactory to the user." Cloutier, column 3, lines 51-55.

Regarding claim 7, Cloutier does not disclose "suggesting an alternative print setting" as is required by that claim. As a first matter, Cloutier does not discuss "print settings" as is described above. Moreover, Cloutier does not disclose providing suggestions. Instead, Cloutier only teaches giving the user the *option* to adjust the settings. Cloutier, column 3, lines 55-58.

With respect to claim 8, Cloutier does not teach "automatically adjusting a print setting" as is required by that claim. Instead, the only automation Cloutier teaches is prohibiting printing if the print quality will be very poor. Cloutier, column 3, lines 60-63.

2.   Claims 9-12

Claims 9-12 are drawn to a system for providing print outcome notification. Independent claim 9 provides (emphasis added):

9.   A system for providing print outcome notification, comprising:

means for determining which *print settings* are selected;

means for determining whether one or more of the *print settings* is likely to adversely affect a printing result; and

means for providing notification to a user that a selected print setting may result in an adverse printing result.

As noted above in relation to claim 1, Cloutier does not concern print settings. Accordingly, Cloutier does not anticipate "means for determining which print settings are selected" or "means for determining whether one or more of the print settings is likely to adversely affect a printing result" as is required by claim 9.

With particular regard to claim 12 which depends from claim 9, Cloutier further does not disclose "means for suggesting an alternative print setting" for at least the same reasons discussed above in relation to claim 7.

3.   Claims 13-17

Claims 13-17 are drawn to a system for providing print outcome notification. Independent claim 13 provides (emphasis added):

13.   (Original) A   system   that   includes   software configured to provide print outcome notification, comprising:

logic configured to determine which print settings are selected;

logic configured to determine whether one or more of the print settings is likely to adversely affect a printing result; and

logic configured to provide notification to a user that a selected print setting may result in an adverse printing result.

As noted above in relation to claim 1, Cloutier does not concern print settings. Accordingly, Cloutier does not anticipate "logic configured to determine which print settings are selected" or "logic configured to determine whether one or more of the print settings is likely to adversely affect a printing result" as is required by claim 13.

With particular regard to claim 16 which depends from claim 13, Cloutier further does not anticipate "logic configured to suggest an alternative print setting" for at least the same reasons discussed above in relation to claim 7.
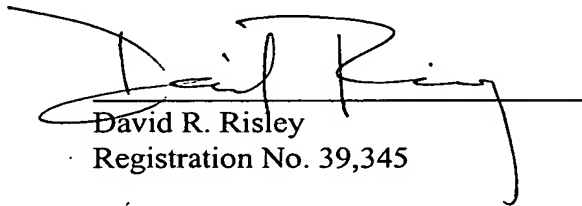
II. New Claims

As identified above, claims 18-27 have been added into the application through this response. Applicant respectfully submits that these new claims describe an invention novel and unobvious in view of the prior art of record and, therefore, respectfully requests that these claims be held to be allowable.
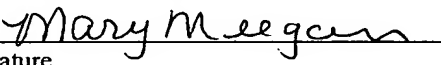
CONCLUSION

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Alexandria, Virginia 22313-1450, on

_____2-13-04_____.

_____Mary Meegan_____
Signature

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